

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PEARL A. ELLIS, Individually	:	CIVIL ACTION
and as Administratrix of the	:	NO. 20-06175
Estate of JOSEPH M. ELLIS,	:	
	:	
Plaintiff	:	
v.	:	
	:	
DELAWARE COUNTY, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this **26th** day of **April, 2021**, after considering Defendants' Motion to Dismiss or to Strike and Plaintiff's Response thereto, it is hereby **ORDERED**, for the reasons set forth in the accompanying memorandum, that:

1. Defendants' Motion to Dismiss (ECF No. 23) is **GRANTED in part and DENIED in part**, such that Plaintiff may seek to establish liability under a failure-to-train theory but not under an inadequate staffing theory;
2. Defendants' alternative Motion to Strike (ECF No. 23) is **DENIED**; and
3. An order setting case management deadlines will issue.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.